

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DEREK LANEY,)
)
Plaintiff,)
)
vs.) No. 4:18-CV-1575
)
CITY OF ST. LOUIS, et)
al,)
)
Defendants.)

Zoom Videoconference Deposition of DEREK LANEY
taken on behalf of the Defendants
January 6, 2021

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Questions By:

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MS. DUNCAN

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Reporter: Sara Alice Masuga, CSR, CCR
IL CSR No. 084-002993 MO CCR No. 1012

Exhibit B

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2033 HIAWATHA AVENUE
ST. LOUIS, MO 63143-1215

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CITY OF ST. LOUIS, et)
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Defendant.)

APPEARANCES:

On Behalf of the Plaintiff via Zoom:

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By Kiara N. Drake, Esq.
Javid Khazaeli, Esq.
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On Behalf of the Defendants via Zoom:

City Counselor's Office
By Abby Duncan, Esq.
Brandon Laird, Esq.
1200 Market Street
City Hall Room 314
St. Louis, MO 63103

IT IS STIPULATED AND AGREED by and between counsel for Plaintiff and counsel for Defendants that the deposition of DEREK LANEY may be taken pursuant to the Federal Rules of Civil Procedure via Zoom videoconference, by and on behalf of the Defendants on January 6, 2021, originating at the office of Masuga Reporting Service, 2033 Hiawatha Avenue, St. Louis, Missouri, before me, Sara Alice Masuga, Certified Court Reporter and Certified Shorthand Reporter; that the issuance of notice is waived and that this deposition may be taken with the same force and effect as if all Federal Rules had been complied with.

IT IS FURTHER STIPULATED AND AGREED that the signature of the deponent is waived.

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1 DEREK LANEY produced via Zoom videoconference,
2 sworn, and examined as a witness on behalf of the
3 Defendants testified as follows commencing at 1:04 p.m.:
4

5 E X A M I N A T I O N

6 BY MS. DUNCAN:

7
8 Q. Good afternoon, sir. My name is Abby Duncan.
9 Can you state and spell your name for the record?

10 A. My name is Derek Laney, D-e-r-e-k L-a-n-e-y.

11 Q. Thank you. Sir, as I said, my name is
12 Abby Duncan. I'm one of the attorneys representing the
13 City in this case. Have you ever had your deposition
14 taken before today?

15 A. I don't think so. I don't recall ever having
16 that done.

17 Q. Okay, okay. So, just some things to keep in
18 mind. All your answers should be verbal because Sara is
19 taking down everything that we say. "Nuh-uhs," "yu-huhs"
20 don't really translate onto the record very well, so just
21 please make sure to keep your answers verbal. If at some
22 point you slip up, I may ask you is that a "yes" or a
23 "no," and that's not to be a smart aleck; it's just to
24 make sure that the record is clear.

25 Also, over Zoom especially, it's important to

1 with their bikes?

2 A. Holding the bikes in front of them and pushing
3 it out to hit the people.

4 Q. Did you recognize any of the women that were
5 being pushed with the bikes?

6 A. Karen Yang was the only one I can recall.

7 Q. And, so, after you had seen -- How -- I guess
8 let me back up. How many police officers did you see
9 push their bikes into these women as you allege?

10 A. Several. I -- I don't recall how many
11 exactly.

12 Q. Were the officers saying anything when they
13 were trying to push the -- the women -- the people back?

14 A. I don't recall.

15 Q. And you said that you went up to one of the
16 police officers, and what -- what specifically did you
17 say?

18 A. I was pointing out what I saw, the assault,
19 and I thought it was egregious and abusive.

20 Q. And did you -- did you say those words to him?

21 A. I don't remember the words I said.

22 Q. Okay. Did he say anything to you in response?

23 A. He hit me with his bike.

24 Q. Did he say anything to you?

25 A. I don't recall anything that he said.

1 A. No, he said nothing to me.

2 Q. Do you remember saying anything to him either
3 before or after you were sprayed?

4 A. No, I said nothing to him.

5 Q. And where were you pepper-sprayed on your
6 person?

7 A. My face, my eyes, my nose, my mouth.

8 Q. And I guess you said the officer came around
9 you. What side of your face would have been the --
10 the --

11 A. He came --

12 Q. -- first?

13 A. He came up from the right and I just remember
14 an arm coming in front of my face and the spray going
15 straight into my face.

16 Q. Okay. So, you remember the spray being
17 directly on you, not at a different angle?

18 A. It seemed like it was inches from my face,
19 that's what I remember.

20 Q. After you were pepper-sprayed, what -- what
21 happened?

22 A. I was incapacitated. Some people helped me
23 sit -- go -- you know, get out of the way and sit down
24 and administer the neutralizing agent.

25 Q. What do you mean by you were incapacitated?

1 A. My eyes were burning, my skin was burning, I
2 was disoriented. I couldn't see to move any direction.
3 I was just incapacitated. I couldn't breathe very well.

4 Q. You said that someone or some people had
5 helped you after you were pepper-sprayed. Do you
6 remember -- Do you know who those people would have been?

7 A. I don't recall. It's people who were there
8 helped me out of the street.

9 Q. You don't remember any particular person?

10 A. I have a vague recollection of maybe
11 Brendan Roediger. I think he was there. He might have
12 been one of the ones helping me out of the street.

13 Q. Do you remember Keith Rose being there after
14 you were sprayed as well?

15 A. Yes.

16 Q. I think you mentioned that before. Do you --
17 You said that you had received some kind of neutralizing
18 agent to help with the pepper spray; is that right?

19 A. That's correct.

20 Q. Do you remember who administered that to you?

21 A. I can't remember exactly who it was. I mean,
22 I -- I as in pain, so I wasn't paying attention to those
23 details.

24 Q. Do you know what kind of neutralizing agent it
25 was?